

**UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 19<sup>th</sup> day of September, two thousand twenty-three.

Before: Alison J. Nathan,  
*Circuit Judge.*

In Re: United States of America,

Petitioner.

**ORDER**

Docket No. 23-1277

United States of America,

Petitioner,

v.

Tyler Scott Johnston,

Respondent.

The Government moves for an emergency stay of the district court's September 13, 2023 ruling, memorialized by the district court in an order dated September 19, 2023, which modified the Respondent's conditions of release. The Government also moves for expedited consideration of its petition for a writ of mandamus and to supplement the record. The Respondent opposes the motion for a stay.

IT IS HEREBY ORDERED that, to the extent the motion seeks a temporary stay pending review of the petition for a writ of mandamus by a three-Judge panel, the motion is GRANTED. The motions to expedite and to supplement the record are also GRANTED. The petition for a writ of mandamus shall be heard by a three-Judge panel on an expedited basis.

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

 

 